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Light



Philosophy
Ankur Mutreja

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Light | Philosophy

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Introduction

What is Philosophy? Is it the exclusive domain of those who dream in abstract? Or is it the manifestation of the struggle of those who practice in material? Does it originate in the minds of professors like a Ganges flowing out from the hair-locks of “Lord” Shiva? Or is it rustic and puerile, evolving into maturity through the experiences of common men. I started writing philosophy without actually knowing that I was writing one. To start with, it was an outlet to project my frustration in the form of writings. Pretty often, it carried abuses hurled at none in particular, but at the system through its agents. But I don’t know when those ramblings started getting matured into Philosophy and all puerility and abuses purified themselves on the way – a Ganges doesn’t become pure by its origin but by the treatment people give to it on its way. In my book “Writings @ Ankur Mutreja”, I included a section on my personal philosophy and thought nobody would be interested in reading it. But, fortunately, I have found some kind-hearted people, who have given me their valuable feedback. I am reproducing my philosophy below by selecting those topics which have received positive feedback, albeit without prejudice to the philosophy presented by me in “Writings @ Ankur Mutreja”.

The book is divided into three chapters. First chapter, which I have christened as **Philosophy | General**, starts with my principles on **Privacy**. There is no comprehensive law on privacy in India; therefore, there are no established privacy principles either. I formulated certain principles for self-help, which seem to have found resonance with many; therefore, they are reproduced in the book. The other topics included in the chapter are **New Age Journalism, Terrorism, Internet, Jurisprudence, and Globalization**.

I was pleasantly surprised to find that my philosophical ideas on politics have found audience. I am a completely non-political person in the sense I am not attached to any political party; however, I do have a liberal perspective on politics. In the second chapter, i.e. **Philosophy | Politics**, I have discussed varied topics like **Lokpal, Elections, Violence, Capitalism, Anarchism, Cash Transfers, Maoists, and Gandhism**, with a liberal perspective.

Finally, in a chapter entitled **Philosophy | Relationships**, I have plunged into a controversial arena of man-woman relationship. Though I claim to be discussing

philosophy of man-woman relationship, but I think I am at best representing men unless I get substantial endorsement from women – which unfortunately I haven't got till now. Topics covered: **Marriage, Love, Girlfriend**, etc.

This is a non-professional endeavor; therefore, you may be able to download it either free or for a small price, and the royalties, if any, accumulating where from will go in charity.

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Chapter 1: Philosophy | General

Chapter 1.1: Nine Point Privacy Principles

1. All information is private unless made public.
2. The natural owner of any information is the one to whom the information pertains; and, unless there is a procedure established by law, it can't be created/recorded by a third party, including in human memory, without the consent of the person concerned.
3. If the information pertains to more than one person, then all to whom it pertains are the joint owners of the information concerned, and there is a presumption of confidentiality between the owners; and, unless there is a procedure established by law, the information can't be created/recorded by a third party, including in human memory, without the individual consents of the persons concerned.
4. A joint owner, in his capacity of a joint owner, can disclose private information pertaining to another joint owner in a court of law in a dispute with the other joint owner in which the private information is a "relevant fact"; and the court shall admit such evidence as confidential information not to be disclosed to the public.
5. The information owned by the government is always public unless made private specifically by a procedure established by law. The acts of public servants while performing public duties is the information owned by the government. Public servants include private persons performing public duties.
6. The information owned by an owner/joint owners can be made public by the owner/the joint owners at his/their discretion subject to the law of the land. The presence of any activity/information of the owner/the joint owners which is clearly, easily and directly visible/audible/perceptible from a public place, which includes private place frequented by public, is deemed to be an application of the discretion to make the private information public by the owner/the joint owners, and the same can be recorded in any form by third parties. The discretion may include making the information public to a specified group only, in which case the members of the specified group become the joint owners of the information, and the information becomes the private information pertaining to the specified group.
7. Any third party can make the information pertaining to any other person public only by a procedure established by law.
8. Unless there is a procedure established by law, there is a rebuttable

presumption of non-necessity of recording the private information or of making the private information public by a third party except in a court of law as an evidence of a “relevant fact”; and the court shall admit such evidence as confidential information not to be disclosed to the public. The onus of proof lies on the third party to prove the necessity. The necessity can lie only in public interest or in private defense.

9. If any information pertains to the sexual life of a person/group, unless there is a procedure established by law, there is a non-rebuttable presumption of the non-necessity of recording the private information or of making the private information public by a third party except in a court of law as a “relevant fact”; and the court shall admit such evidence as confidential information not to be disclosed to the public.

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Chapter 1.2: New Age Journalism

The internet is going to cause a paradigm shift in journalism is now a banal statement; however, the statement is not out of fashion yet. In fact, I think, this proposition is worthy of a degree of credibility, but not as simple as it sounds. The internet has by far emerged as an excellent medium to share free information first and to build brands second. Whenever one thinks in terms of brands, it becomes difficult to separate the brand from its worth measured in the terms of financial goodwill it generates to the underlying business/activity. However, the fact remains that brands are all about trust and can't really be quantified in the terms of money. So, I won't enter into the exercise of profitability quotient of journalism on the internet while talking of brands. Rather, I am making a far-fetched presumption that one day journalism as a full-time career will cease to exist, and all journalism will be part-time vocations.

As a layman, I can easily recognize two significant divisions in the present day journalism: News and Opinions. News is generated on the ground, collected by the reporters, transferred to the central agency, processed therein and published or broadcasted in one form or the other. The well recognized news agencies in India are PTI, ANI, IANS, UNI, PIB, etc. Most of the times, a layman doesn't consume news directly from these news agencies but through some better known intermediaries like NDTV, The Hindu, HT, IBN, India Today, Times, IE, etc.; and, of course, these intermediaries also have armies of reporters, who collect news directly, but, I think, the real news is reported through any of the aforementioned news agencies only, and the focus of these intermediaries seems more to be that of publishers and broadcasters. These intermediaries are definitely profit centers and have come to be recognized as corporate media. Another focus of these profit centers is to generate opinions, whether through their own ilk or through guests or, for that matter, through their audience and readers. Both individual and group brands have been established in this corporate media.

In reference to journalism, at present, the internet is restricted to promotion of offline brands on the internet especially through SEO promotion. I don't recognize the present social media as any kind of journalism. The present form of news collection through social media is suspicious and even dangerous, and the opinion makers have not yet gained the desired credibility: they are either associated with offline brands or else they are, at the best, amateurs. I am damn sure that the internet can't be used for B2C ecommerce in the case of journalism: nobody will ever pay for consuming news and opinions, though it is quite

possible that opinion makers might pay for promoting their opinions, but that would be B2B ecommerce, and, given the ethical resistance to paid news, I don't think B2B commerce/ecommerce can ever become a legitimate business activity in journalism. So, for me, journalism on the internet can prosper only if the individual brands associated with opinion making but without any significant permanent address even on the internet, emerge as credible alternatives to the offline brands promoting themselves online with permanent web addresses, whether individually or collectively. The news collection can't and will never become an internet activity; the off line news agencies and the corporate media will exercise considerable control over news collection and reporting, and the online journalists/opinion makers will have to rely upon these sources, which will always keep the offline journalists at an advantage over the purely online journalists/opinion makers.

However, even after drawing such a sad picture of online journalism, I am sanguine that the new age journalism will be more ethical and professional. The counter from the purely online journalists/opinion makers would be extremely forceful as they will exist and survive only if they are able to build a very high degree of credibility, which will automatically expose the fraudulent character of the corporate media and thus make it a non-profitable proposition. Of course, the ramification could be extensive so far as to make full-time journalism a non-viable vocation, but how soon or how late it will happen is anybody's guess.

Note: The above is subject to an assumption that the state controlled media will cease to exist sooner or later, so I have not even discussed it.

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Chapter 1.3: Terrorism

When I google the phrase “terrorism definition”, it throws up the following definition:

*The **unofficial** or **unauthorized** use of **violence** and intimidation in the pursuit of **political** aims.* (Emphasis supplied)

The above definition is applicable comprehensively within the territorial jurisdiction of well-recognized sovereign entities like the US, Russia, the EU, etc. I have deliberately not included India, Pakistan and China in the above definition as these countries don't have comprehensive control over the domestic politics over which they claim territorial jurisdiction. A state would always call any challenge to its sovereign territorial claim as terrorism; however, the voice of a state can't be taken as the final word by a neutral observer; therefore, all the lists released by the State or sovereign bodies listing terrorist organizations are irrelevant as far as the general populace is concerned; these lists are relevant only to the public servants in discharge of their public duties and to the sycophants who accept formal and informal gifts and awards from the State.

The above definition is more or less functional except that I would not like to club intimidation with violence: violence *per se* is enough to qualify as terrorism. The only differentiating factor between terrorism and the state action is the officiality and the authority of the state initiated violence; if the state violence is unofficial and unauthorized, then it should also be called and would be called terrorism. An action may be unofficial if it has not been deliberated enough; for example, if the Indian Army Chief unilaterally enters his combative forces in the Naxalite areas, or the Indian Home Minister directly employs CRPF in the Naxalite areas without involvement of the State Government concerned or, for that matter, of the Union Cabinet. Similarly, if a state police force arrests a person using violence in a non-cognizable offence without an arrest warrant from the magistrate concerned and keeps him arrested even after noting his personal details, it would be unauthorized. So, the possibility of terrorism by the state forces is enormous, and they can't be exempted from the definition of terrorism just because the CrPC exempts them; the purposes are obviously political as the purpose of the criminal law *per se* is to maintain the peace of the King/State.

In light of the above, other than the State, there are many other forces ranging from the Bombay *Mafia* to the IM which would qualify as terrorists in India because their acts of violence are politically motivated and, obviously,

unauthorized and unofficial. However, I want to make two exceptions: first, the Kashmir Valley is a disputed territory and is strongly claimed to be in occupation of India not only by many Kashmiris but also by Pakistan, and, if the disputes gets revived in the UN — as it looks like it very soon will — it would also be claimed so under the International Law; secondly, the Naxalite areas, where the Indian Government has a meager presence, thus it doesn't exercise complete sovereign control over the Naxalite areas. The definition of unauthorized and unofficial might be subject to the International Law in these two areas, and some of the actions of the Kashmiri “militants” and the Naxals may not be considered as the acts of terrorism by the International Law, especially if they can prove their actions to be in accordance with the rules and constitution governing themselves — Hamas in Gaza falls in a similar category.

Now coming to Global Terrorism; I fail to recognize it; furthermore, the term itself is an oxymoron. When there is no global sovereign power, how can there be any global terrorist: the two warring countries would always term each other as global terrorists, and the International Law is not mature enough to arbitrate. Just because some forces operate across borders doesn't mean they are global terrorists; they might get qualified as terrorists in two or more countries, but the qualification stops there and goes no further — if the pirates had any political motives, they would have certainly qualified as global terrorists under the International Maritime Law, and Captain Jack Sparrow would have been their undisputed brand ambassador; or, on second thoughts, probably the MNCs do qualify as global terrorists: they do all that the pirates do albeit, pretty often, with a political motive too.

But, the terrorists who scare me the most are local politicians and other “micro” terrorists: they use violence unauthorizedly and unofficially with a clear political motive — the AAP, probably without realizing it, tried regularizing some of the terrorist acts of local politicians through the Nagar Swaraj Bill. While talking of “micro” terrorists, the definition of violence can't be restricted to just physical violence; it should include all kinds of violence: psychological violence, emotional violence, sexual violence, verbal violence, and, of course, physical violence. Given this wide a definition, anybody in the position of power is a potential terrorist, and the most successful people in the society are also those who practice terrorism, so **Go Ahead and Join the Club.**

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Chapter 1.4: The Internet

I first thought of writing on this topic under my writings on politics, but, I think, the internet hasn't reached that kind of penetration yet; at least not in India. Nevertheless, the world of the internet is fascinating.

A little bit about technology first. The most intriguing feature of technology is its ironical disposition to act both as a medium of individual liberty and a biggest curb on it through infringement of privacy. Therefore, the first thing I look out for before choosing a gadget — which I rarely do — is to look at the ability of the gadget to enhance my liberty without compromising my privacy. And, I think, the best gadget I have chosen so far is my USB hard drive because I know my ISP is constantly monitoring the activities on my internal hard drive — kept lots of porn on my hard disk for some time to entertain them, but then I actually got worried about the privacy of those poor girls who had been shot furtively, and that's the most serious problem of technology. The above should tell something about my disposition: I am an off-gadget guy, but I am enamored by the internet.

The fascinating world of the internet is fast becoming unavoidable. Rather, for a person like me, it has to be a habit. I believe, other than porn, the most visited sites on the internet are the social networking sites with the FB leading the herd, but, I think, the FB will either collapse under its own weight or become irrelevant. And, I have reasons to so believe. The other day, I was watching some interview of Fatima Bhutto, where she made an interesting comment about the FB: she found the addiction of people to the FB very weird as it doesn't serve any useful purpose like addition of knowledge, skills, etc. Though I don't agree with her comment that peeping into the private lives of people is weird as the man has been doing it for ages now, but the way it is being done on the internet is definitely weird: peeping into other people's lives has become so mechanized on the internet. After the initial excitement, I think, it will die down itself. The reason for my belief is funny. There is a small side-show "*chahca ke bathule*" on Red FM; in one of these, the "*chacha*" claims the credit for the creation of the FB, for he was fed up with the daily bickering of his wife with the neighbors and thus invented the FB; and, the rest is history. Well...I believe Zuckerberg also started with something similar but then lost his way; I wonder how people get the same fun in fighting on the FB as they do in *mohallas*; the bickering on the FB can only lead to the *Malini Murmus*. So, I don't think the FBs of this world have any future unless they reinvent themselves, but the FB is trying too hard to

justify itself. The Twitter also needs to do something new, the micro blogging concept is cool, but the follower-ship, especially of the celebrities, stinks. The others, including Google Plus, have not yet started picking pace.

However, the internet doesn't start and end with the FB. The real fun on the internet starts with the freebies. Once I found a small dog caged inside a drain; it seems somebody covered him with a stone to prevent him from escaping — yes, the people eat dogs here. I removed the cover, and, on being freed, the dog ran on the road like a mad dog as if he would never get a chance to run again. Something similar happened to me when I first heard of "Download.com". I downloaded everything, just about everything...even a funny software on how to create ghost voices — I hope the dog was not actually mad. But, now I have realized that the real fun lies in the Freedom of Information which the internet provides, and that may well revolutionize this world. The biggest problem, at present, is the random flow of information. I agree the sincere and hardworking people would have found their ways by now. But, for a lazy person like me, who keeps opening the same Google all the time, this abundance of information is really very difficult to manage. I think the next big idea on the internet would be the one which will do something about this problem, i.e. the random flow of information.

Closely linked to the freedom is piracy. I think those who are fighting piracy, or, should I say, trying to fight piracy, on the internet are wasting their time; they just don't understand the power of anarchy. The anarchy has always failed because people, when in close contact with one another, start thinking of their respective statuses, which creates problems because the status gives power, and the power begets politics, which is always ugly offline. The best thing about the internet is the anonymity it offers, where the power and the statuses may not necessarily be interlinked, and thus the power needn't necessarily lead to ugly politics; and, if practiced religiously, the anonymity, in fact, leads to security and order. I am a firm believer that, both online and offline, the true source of power is knowledge sans infringement of privacy. When online, if one wants, one can protect one's privacy to the most ridiculous levels; but, when offline, in the present times, one can't think of power without infringing someone else's privacy. I think, after saying so much, I don't need to mention that I give a damn about the internet piracy except for authorship protection. I just want free information.

Last but not the least, the security on the internet is a real issue. I have a simple formula: Build a separate drawing room detached from the rest of the house and

open its door for all and sundry. So, all the hackers, be my guest; you will not find anything except may be some stupid case laws, which anyways you can download freely on the internet — ok, I admit I can't afford a separate drawing room, so I have created a partition, but sometimes it does create problems. So, going by my formula, the internet can't be used for any confidential work online. In other words, the concepts like cloud computing should fail, but then I am not a geek.

Well...I think I should have never downloaded those porn: Privacy is the most important right of individuals, and no system can substitute for individual morality.

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Chapter 1.5: Jurisprudence: Austin, Kelson, and Hart; They All Say the Same Thing

Jurisprudence, to me, seems to be the never ending trial of the philosophers to justify and reconcile law to the practical, and, in this quest, different schools have defined law in different manner. The most interesting amongst them are the analytical school philosophers. Instead of worrying about WHAT LAW OUGHT TO BE, they have concentrated on WHAT LAW IS. When one does that, one has to identify an evident source of law; and, once so done, the other issues, like the validity of law, become easy.

Austin's method is the simplest and the most frank. He says the law is the command of the SOVEREIGN. The SOVEREIGN is a political superior. If, instead of saying political superior, he had just said superior, his theory would have confirmed to even the present times because today the command of the BOSS has almost become law (or very soon it will). Of course, the BOSS is not a political superior, but he is indeed a superior. However, as many others also do, I even hate to think of any command of a BOSS to be any law. Rather, I even hate to have a BOSS. Then, why shouldn't I, and many like me, hate the presence of SOVEREIGN even because after all the idea is same! So, Austin, and his theory, is rejected outright.

Kelson is more ingenious. He has, instead of attributing the origin of law to a determinate body, identified the source of law in an abstract concept called the BASIC NORM. According to him, the BASIC NORM is that "one ought to behave as the individual, or the individuals, who laid the FIRST CONSTITUTION have ordained". Without worrying about what is the FIRST CONSTITUTION, and who laid it, the only relevant thing to understand is that any law made in accordance with the constitution is valid law. Or, in other words, the origin of law can be identified with the constitution. One will have to just accept the validity of the constitution. For example, In India, the constitution laid down by a minority, who were not even representatives of the people, is a valid constitution. Not only this, our constitution, to a large extent, is inspired from the GOI Act, 1935; in the same manner as the stories of the Bollywood films are inspired from the hit Hollywood films. I, and I hope many like me, wouldn't be willing to accept the validity of the Indian Constitution.

Hart tries providing some solution to the problems by introducing the concept of INTERNAL POINT OF VIEW/INTERNAL STATEMENT. Well, his theory is the most complicated and, by far, the most ingenious too. He says that any

INTERNAL STATEMENT about the validity of the primary rule is *per se* relevant to identify it as a valid law, and such statement having been made doesn't require any more justification for the validity of law. Now, the moot question is what is so special about this INTERNAL STATEMENT that we need not ask any further? And, btw, what is the source of law? It's difficult to do justice to his ingenuity over here, so I won't attempt it. Anybody interested in his theory in detail can read it from any standard book on Jurisprudence. However, I should surely state that he has identified the source of LAW in the people themselves. In a complicated legal system, he has introduced the concept of secondary rules, which are presupposed while making INTERNAL STATEMENTS of validity; and, for these secondary rules, he has introduced the concept of effective acceptance of secondary rules as the common public standards of official behavior by officials — simply speaking, the government officials shouldn't revolt — and once this condition is satisfied, and the officials are able to ensure that the people at large obey the rules which are law, out of fear or for any other reason, the system can be termed as a LEGAL SYSTEM, irrespective of whether the people at large feel obligation towards the rules. This is something which should exist in the communist (in the practical sense of the term) legal systems, and does actually exist in the so-called democratic systems, like India, the USA, the Europe, etc. Very simply speaking, it means that a small coterie of people have laid down some rules for themselves by custom, implied mutual consent, etc., and, on the basis of these rules, they lay down/identify other rules as law for the people at large, which rules are ensured to be followed. I, as a free individual, fail to accept this too.

Then, also the moot question: if law is what this small coterie of people lay down for me, do I need to follow it? And, the answer is yes, and this is not out of any moral obligation or fear but because of a practical necessity. Let me elaborate this point. In the present day context, this small coterie of people is the power house of the system, and they are represented by the politicians. They maintain their power by creating occasions for law violation by the powerless individuals, each in their individual contexts. For example, a small powerless businessman will be but forced to bribe a policeman if he wants to do business, for if he doesn't, he will die of hunger, but if he does, he can aspire to join the power house some day; this is what the AMERICAN DREAM is all about. This is a very simplistic situation. There could be more complicated situations; for example, a young unmarried girl desiring to have outside marriage sex (which is perfectly legal) will not be allowed to do so till she decides to enter the

prostitution industry (which is illegal and should remain illegal; solution doesn't lie in making the immoral trafficking legal, as it doesn't lie in making bribery legal). In this situation, the girl has a capability to fight because the need for sex is not as prominent as is the need for food. If she, and others like her in their own particular situations, are able to fight it out, she and the whole system would certainly be better off, and, then, probably a Hart will not have a need to end his note like this:

In this more complex system, only officials might accept and use the system's criteria of legal validity. The society in which this was so might be deplorably sheep like; the sheep might end in the slaughter-house. But there is little reason for thinking that it could not exist or for denying it the title of a legal system.

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Chapter 1.6: Globalisation

Globalization is based on the principle of comparative advantage, which simply speaking states that a country will always benefit from opening up its economy to the world and producing what it has comparative advantage in producing (may it be prostitution/sex tourism). Comparative advantage doesn't necessarily means absolute advantage: it only means that if Country "A" can only produce product "X" with any relative advantage, whatsoever, and the whole world can produce the same product "X" overall better than Country "A"; i.e., with better absolute advantage but lesser relative advantage; i.e., the world can produce other products with better relative advantage; then it should let Country "A" only to produce the product "X". This will be beneficial for all; of course, Country "A" should be able to produce enough for the whole world or else should share the responsibility.

Isn't the above idea brilliant? Well, it is! It is actually the most idealistic thing that can happen to the world. No one would ever be poor, but only if Country "A" is given a written guaranty that it shall never be affected by speculative currency movements, that it shall not be limited by resource constraints both material and human, that its people shall always feel happy producing product "A" only, irrespective of their talents and aspirations. These guarantees are extremely important because nobody seems to be creating situations for such a scenario to develop. The economic superpowers just want to jump onto the globalization bandwagon. When you ask them why not allow free movement of men along with goods, they say it will disturb the cultural system. When you ask them why not allow a single currency for the whole world so that there is no chance of any speculative currency movement, they say it is impractical. Well, both their arguments are completely adequate, but then Globalization without free movement of men and goods would be partial Globalization.

Let me elaborate upon their arguments a bit further to give them some credit. The first argument is self explanatory. The countries around the world are divided on the basis of strong religious and cultural values. USSR did try forcing common culture throughout the Union but couldn't succeed. The USA seems to be trying the same for the world, and I have no doubt that it will also fail badly; rather, the USA still has a lot to discover. There just can't be a common global culture, and no one can give any direction to the emergence of any cultural interchange either. This is something which has to evolve itself, and any direct or indirect efforts to hasten the process may lead to social unrest. At present, at

best, the people with strongly aberrant cultural values to their local culture can migrate to compatible foreign cultures and bring about merger of common attributes.

Similarly, a single currency for the world can not be permitted because it will be inefficient in dealing with local economy level imbalances, which can be handled better in a flexible exchange rate system. The single currency would create problems in handling country level issues without affecting the world at large. It can at best be implemented in a region where the constituent countries have similar economies, and the people are ready to move freely within the region, for example the European Union. One can even think of combining the currencies of “USA + Canada”, Europe, and Pacific Rim at some stage, but clubbing the economies like the Arab League, Central Asia, CIS, Sub-Saharan Africa, Latin America, China, Indian Subcontinent, etc., with the above three regions is just unthinkable at this stage. These regions have a lot to discover. For that matter, even the merging of culture can happen at some stage, but that would be commanded by precedence to humanistic interests over parochial religious interests, and this doesn't seem to be happening in any perceivable time period.

So, what's the hurry to have free economic borders? Can't it be seen that a small country producing few goods or a large but poor country like India will become extremely dependent upon global events? Can anybody stop speculative currency movements and their negative effects on these countries in such a scenario? Moreover, this can lead to growing human dissatisfaction in the local population in absence of finding the work of their choice. Different people have different aspirations; they can't be restricted to the choice of a career by a novel idea called Globalization. Isn't it ironical that the same idea which boasts of economic prosperity fails to answer the basic question of human prosperity? Everything can't be measured in terms of economic gains; it would be prudent not to force Globalization on everybody, and let the weaker nations discover their path to economic and social prosperity (extremely important) before sharing it with others. Till the time it happens, just wait and watch or render help as a disinterested friend.

Chapter 2: Philosophy | Political

Chapter 2.1: Maoists Are Relevant!

One of the most important ingredients of a civilized society is the recognition of responsible rebellion. I stopped writing about the Maoists, positive or negative, when they started acting irresponsibly by killing non-political civilians because it is dangerous to publicize irresponsibility even while condemning it, for all publicity is good publicity. But, in the changed circumstances, they indeed deserve publicity; so at least I am writing about them for whatever it is worth — also, off-late, the Maoists have not been in bad news too very often.

The Maoists are the most relevant alternative political force in India today. In a democratic setup like that of India, the political forces are either on the right side of the law by fighting elections and obeying the command of the security agencies or else they are outlaws by not only disobeying but also attacking the security agencies and the like by forming their own armies — yes, the things have not changed much to stop thinking that the security agencies don't run this world; the military and the intelligence agencies of the States run this world even now; period. In India, the right-side political forces have more or less merged towards a US-centric, pseudo-liberal, conservative ideology. In this ideology, the combination of business and military decides the strategy, and the part and parcel of the strategy are also the activists, who, more often than not, are nothing more than make-up celebrities. So, there is a perpetual vacuum for the justiciability of the rights of the people, the PILs notwithstanding. In other words, the rights have become irrelevant for getting justice as the politics has become all-encompassing.

In such a scenario, the poor and the marginalized are left with no choice but to take recourse to the outlaws for getting justice, and if the outlaws can deliver justice, their methods automatically become institutions, at least in the limited sphere of their operation. So, it is these methods of the Maoists that have gained wide acceptance amongst the tribals in certain areas of India, and which have come to be known as alternative government as “*Janatana Sarkaar*.” The methods are not well documented. My only instant-noodle source of information of acceptable credibility is one essay (Re: “Walking With The Comrades”, Outlook magazine, March 29, 2010; <http://www.outlookindia.com/article.aspx?264738-0>) written by Arundhati Roy in which she called them “Gandhians with a Gun” but later retracted — I am not really sure if she is also a make-up celebrity; however, if she makes her appearances *sans* makeup, she is a natural beauty. Following are the highlights:

1. The Maoists fight for the rights of the tribals against police, *zamindars*, forest authorities, etc.
2. The tribals live their normal lives, nevertheless, in jungles; they dance, play and celebrate under the auspices of the Maoists.
3. Both boys and girls join the armed forces of the Maoists and fight side-by-side (the most important feature).
4. The educated liberals, especially professionals, are in high demand.
5. The life is tough for the guerrillas; they sleep less, dream more and act circumspectly; some of them ride bikes, but most just run.
6. The Maoists are well-informed about the rest of India and the world, through their limited channels of communications.
7. The Maoists are “Gandhians with a Gun”, which literally means they follow *Gram Swaraj*, but, metaphorically, it means they resist like Gandhi albeit with guns, but their methods are peaceful, and the gun is just for self-defense.

Now, here comes the question of relevancy of the Maoists in urban India. The current situation in urban India is becoming more or less like Dantewada forests: Politics has become the only recourse to justice; for some, the fight for justice has turned into a fight for means of survival especially food; women, at large, are being turned into prostitutes, by force or by lure or by deception; scarce resources especially land have been misappropriated by a few sharks, and the rest are either mortgagors or tenants; stealth tools like mind control, gang stalking, forced suicides, etc, are being used on unsuspecting individuals for no good reason except for some arbitrary notions somewhere that they are prospective terrorists/rebels; the Judiciary has been unclothed, and the only garment it is wearing now is a blindfold, which is making it live in an illusion of modesty.

In such circumstances, the emergence of outlaws is but necessary, and the Maoists are the best amongst the available choices: Maoists, Mujaheedins, mafia, ULFA, *et al*. The Mujaheedins have no respect for women, and also they are less relevant in India except Kashmir (if you want to call it a part of India), and I hope it so remains; the mafia are opportunists; the ULFA are localized with no global strategy; but the Maoists have been time-tested in a part of India and offer the best bet for money. But, I only hope some people somewhere come up with a better alternative; till then, the Maoists are the most relevant alternative political force in India.

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 2.2: Elections

Elections are a tool of reaching a compromise between the sparring members of a group. The best deliberation is obviously the one which genuinely ends into a unanimous decision because a single wise vote is any time better than a stupid majority. However, unanimity is seldom a possibility; the bigger the group the lesser the chances of reaching a unanimous decision. Therefore, the elections become important from the reason of practicality; however, anybody institutionalizing elections as a panacea to intra-group conflicts or recognizing it as an integral institution of Democracy is guilty of lack of common-sense. Given the above perspective, the aim should always be to stay circumspect of the dangers of elections in derailing Democracy.

Democracy, as taught in schools, is a system ensuring government by the people, of the people, for the people; elections can rarely ensure a government by the people leave aside their ensuring a government of the people or for the people; elections are a poor compromise; period. Thus, any system where millions of people elect a single person, the president, as an omnipotent head of the government can't be a Democracy; nor can a system which elects a few parliamentarian from amongst a billion be a Democracy — certainly not when there are only a few political parties in the fray, and at least one of these parties projects a single man as a “God”, literally, and the people vote for a “God”, not men. In fact, party politics is the biggest hindrance to Democracy: The people are duped by the parties through all kind of formal and informal inducements, and the rulers rule over the innocence of the people. Furthermore, the politicians' role in the present day governments is diminishing: The things have become hyper specialized, and the specialists including managers selected through time-tested non-electoral processes make incremental changes while maintaining the *status quo* in general. This approach to governance is certainly conservative, but it works well. The role of the politicians is thus restricted to greasing the government machinery by removing serious bottlenecks and coordinating efforts as ministers; other than this, they may occasionally voice public opinions and check government over-reach, though I believe apolitical activists do it far better by ensuring the principles of Democracy like “the Rule of Law”, “Free and Fair Elections”, “Separation of Power”, “Freedom of Press”, “the Trump of Human Rights”, etc; all other roles of the politicians are corrupt and a hurdle to Democracy.

Elections in the current paradigm are, therefore, the interest area of the activists

and the public at large, who would like to ensure free and fair elections with the clear aim of choosing the best persons amongst themselves for governance. Elections can be free and fair only if each and every process, right from the announcement of dates to the declaration of results, especially the counting of votes, is well-documented, well-deliberated, well-publicized, well-objected and well-corrected. This can happen if the stakeholders have wide and streamlined access to the electoral processes, and they feel passionate towards getting involved in them. They certainly can't feel passionate in checking a process from which they are disengaged by an overwhelming presence of many similar stakeholders competing with one-another to do the same, i.e. to check the process: They would feel bored, tired and disengaged in such a competition. Thus the competition ought to be restricted to a few people — ideally not more than 100 people — i.e., an elected representative shouldn't represent anything more than 100 people; which means, in a country like India of population around 1 billion, there should be around 10 million elected representatives, not just 545 MPs. How these elected representatives should then further deliberate amongst themselves to form the governments at various levels, and what checks and balances need to be put in place to ensure that those who have lost representation of the people are weeded out, is a matter of debate; however, with the advantage of hindsight, I am ruling out party politics as an alternative. Obviously, the group processes hereon should be more complicated and should require the prioritized intervention of the specialists as well. The aim should be to ensure that the few people selected/elected as ministers from amongst the 10 million elected representatives are best suited for the jobs at stake, and to ensure that nobody can ill-exploit his status for infringing the human rights of those who elected him. I can clearly see many more deliberations and elections on the way, but, how exactly? That, I don't know. In fact, I don't think there can be any single well laid out process: It should be a constant spinning, producing different results at different times, and the players of Democracy need to understand and adjust accordingly. The cost of this kind of democratic deliberations would certainly be very high, and the choice to be made: Is the idea of Democracy worth the cost?

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 2.3: Politics of Cash Transfers

*Anyone who believes that all economists are dull never met Joan Robinson (1903 – 1983), who, along with Edward Chamberlin, developed the theory of imperfect competition in the 1930s. Called ‘the magnificent Joan’ by some, and less printable names by others, Robinson – a professor at Cambridge, England – was justly renowned for taking controversial positions. She made her first mark in 1933 with the publication of ‘**The Economics of Imperfect Competition**’, which broke away from the assumption of perfect competition that had dominated the economics profession. Later, as one of the earliest and most visible proponents of Keynesian macroeconomics, Robinson engaged in vehement disputes with several prominent American economists on the meaning of capital and the viability of capitalism. Toward the end of her career she increasingly worried about the distribution of income and the instability of the capitalist system and **avoided use of the mathematical methods** that had become common in economics. **Some believe that she paid a high professional price for her iconoclasm for the Nobel Prize committee never recognized her rich and varied contributions to economic science.** (emphasis supplied)*

Source: ECONOMICS, Fifteenth Edition (Pg. 151) by Paul A. Samuelson and William D. Nordhaus

The above quote from a market economics textbook would make a lot clear about my intention in writing this article. Herein, I am attempting to argue against any intervention of markets in deciding the food prices. But, before that, let me state the definitions of a few economic terms quoted again from the same book.

Economic Good: *A good that is scarce relative to the total amount of it that is desired.*

Perfect Competition: *Refers to market in which no firm or consumer is large enough to affect the market price. This situation arises where (1) The numbers of sellers and buyers is very large and (2) the products offered by sellers are homogenous (or indistinguishable).*

Price elasticity of demand: *A measure of the extent to which quantity demanded responds to a price change.*

Price-inelastic demand: *The situation in which price elasticity of demand is below 1 in absolute value. In this case, when price declines, total revenue declines, and when price is increased, total revenue goes up.*

Before going any further, let me clearly state that I am the proponent of a situation where there is no scarcity of food, or, in other words, food ceases to be an economic good; and I am sure any right thinking person should have the same beliefs because there is no reason why the satisfaction of the most basic physiological need be an economic good. The question: Can it happen under a market economics based system, which assumes perfect competition, or, in other words, can it happen under Capitalism? My answer is a big no; not only because the perfect competition is impossible but also because even when it is achieved in theory, it doesn't guarantee the non-accumulation of scarce resources by a few.

Let me first tackle the problem of imperfect competition. There can be no resource scarcer than food if it is manipulated to be so. Food items have highly price-inelastic demand; i.e., if some manipulators want, they can very easily increase the prices of the food items to whatever levels without affecting the demand for the food items and can keep churning high revenues for themselves. This would obviously happen in the case of imperfect competition, i.e. under monopoly or oligopoly or monopolistic competition. It is widely believed that agricultural products can be sold as commodities in commodity exchanges; therefore, the perfect competition is possible. However, without much knowledge of Economics, I am intuitively inclined to believe that this is an illusion. Perfect competition is impossible even when the conditions mentioned above in the definition of perfect competition are satisfied; the reason being all theories of perfect competition assume rational decision-making, which is itself a scarce resource among humans; and there are umpteen examples when the supposedly perfectly competitive markets, i.e. the financial markets, have been completely butchered by the actions of a few. The irony is that even after the biggest failure of Capitalism, i.e. the US Financial Crisis, the very same capitalists have been successful in making complete fool of the people, not only in the US but across the globe including India, where the PM is the most faithful supporter/follower of the classical economics and is almost single-handedly forcing his stupid beliefs on the country especially the poor, who are ignorant of everything else except for their most immediate need of securing square meals a day. So, my conclusion: There is no possibility of a perfect competition in any

kind of market or situation, and all Capitalism is Crony Capitalism; i.e., the only possibility is an imperfect competition. Unfortunately, I have not read “The Economics of Imperfect Competition”, but, I think, my first proposition that there can be no resource scarcer than food if it is manipulated to be so, stands valid, whatever.

Coming to the second problem of unequal distribution assuming there is perfect competition. After Keynes, even the most ardent supporters of market economics have come to terms with the fact that the Dollar/Rupee votes *per se* don't guarantee equal distribution of economic goods; i.e., one's ability to buy economic goods, which is dependent upon one's earnings, is not in alignment with the equality of opportunity; i.e., a person dying of hunger may die if he doesn't have money to buy food, whereas some fat asses shall promote fine dining irrespective of their inability to enjoy the same because of the presence of incidental fissures in their fat arses. When the economists realized this problem of unequal distribution, they also realized the necessity of redistributive systems like progressive taxation, transfer payments (**CASH TRANSFERS**) and subsidies.

India has a well laid out public distribution system (PDS), which provides subsidized food items to the poor. However, the present government is trying to replace it with the cash transfer system (CTS) for the reason that the fruits of the PDS system are not reaching the people for whom they are meant, but, to the middlemen; and it is believed that the technology driven cash transfers system will check corruption — the infringement of privacy of the poor via the use of technology is a prison, which the existing prisoners of poverty are in no position to debate. The basic difference between the two systems, i.e. the PDS and the CTS, is that the PDS system is theoretically a non-market based system and is a remnant of the command economy, whereas the CTS fits into the market based capitalist system as the cash is used to buy goods in the open markets. I personally prefer the PDS to the CTS because I am a strong believer that Capitalism *per se* is a flawed ideology — I believe it is rather necessary to be not on the production possibility frontier (PPF) to be socially efficient. However, when it comes to food, I have no doubts whatsoever that food has to cease to be an economic good if the humanity has to prosper or even survive, which means there should be no economic value attached to food like none is attached to the air we breathe. Unfortunately, we have attached economic value to every natural resource, whether land or water. Where it was not possible to attach the value directly, as in the case of water, we created differentiation first by polluting the

natural water by industrial and urban waste and then by attaching value to the bottled potable water. I wonder if someday economic value will also be attached to the fresh air we breathe, by selling fresh air in cylinders. But the question: Why should the poor be made to pay for the ill-deeds of the rich? just because they are ignorant? or just because they don't have a lobby? The politicians are the worst animals that exist on this planet: They first misappropriate the democratic votes of the poor by deceit and then transfer them to the rich by converting them into their Dollar/Rupee votes, which the rich use to build mansions and, in return, finance the Swiss bank accounts of the politicians. If it wasn't so, it doesn't take the mind of a rocket scientist to realize that **the best way to help a hungry poor man is by feeding him with cooked food, not by giving him cash to buy food items in the open markets**, where the manipulators already have or will, sooner rather later, increase the food prices taking advantage of the highly price-inelastic demand of the food items. These manipulators/crony capitalists/capitalists will, obviously, never ever recognize the contribution of economists like Joan Robinson but, it seems, will willingly give a Noble prize to the Indian _____.

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Chapter 2.4: Gandhism: A Benevolent Illusion

Mankind lives in illusions. Deprived of illusions, human mind is too weak to make the human body survive. “God” is the biggest illusion of all; “Money” is another; “Democracy”, yet another; etc. No healthy sane human being can live without at least some of these illusions. These illusions are contextually benevolent or malevolent. In India, “God” is a malevolent illusion, and, in the USA, “Money” (the power of money) is a malevolent illusion. Gandhism is also one such illusion; however it is a benevolent illusion in the present Indian context.

Gandhi’s philosophy, if described in one word, is “Non-Violence”. I would say Gandhi was a very wise/clever thinker, who activated his thinking during his lifetime. This is a really big achievement, and that’s probably because of the simplicity of his thinking. He realized very soon that his weak frail body was no match for the mighty force of the powerful (British included), so he adopted a feminine attitude of non-violence pursued with adamant perseverance. The strength to take ridicule objectively lies only in a female psyche; male masculinity is no match for the female perseverance. However, there is a catch: women are safe only till the time men think it wrong to use violence against women; the moment they give up this illusion, the woman power comes to an end unless the woman uses violence. Therefore, the woman power comes to an end almost immediately in marriage as it gives license (keeping Domestic Violence Act aside for the time being) to the man to use violence (sexual and other) against the woman. Gandhism is similar: The Gandhian activists can survive only till the time the powerful elite of the society, i.e. the military, the police, the politicians and the like, keep living under the illusion of workability of Gandhism — it has almost become part of the Indian ethos; however, the challenges are emerging.

Before discussing the challenges, let’s understand why Gandhism is a benevolent illusion in the present day India. The present day India is a society in the state of flux. The old notions of simplicity, honesty, sincerity, etc, are being replaced with pompous display, pragmatism, street smartness, etc. It is clear that there are forces in the media, the politics, the government, the religion and the society at large, which are actively pursuing this change. However, at the same time, there are also a few resisters to the change, who are more or less following Gandhism (“Gandhians with a Gun” included). And the only viable option available to these resisters is Gandhism because use of any alternative method will kill them

instantly. I say that the change *per se*, and the way it is happening in India, is not “good”. “Good” and “bad” are terms as we understand naturally; for example, for me, killing someone is generally “bad” and helping someone is generally “good”, and I need not elaborate it any further — if one doesn’t define “good” and “bad” generally but contextually, then, obviously, I am at conflict with him or her, and my thinking will never convince him or her.

I say that Gandhism failed during the rule of the British mainly because the British were aliens and never truly respected the Gandhians, or, in other words, they were under no illusion. However, the present day India is living under an illusion of workability of Gandhism, and this is the most benevolent illusion for India. But, the challenges are already being posed to this illusion reflected in the killings of RTI activists in Maharashtra, further reflected in the growing power of the builder lobby in Maharashtra — BTW, most of the RTI murders in Maharashtra are also associated with builders. It seems the males (females in the nature of males and the military included) have understood the illusion. What is happening in Maharashtra is posing a real challenge to Gandhism, and the prospect of its replication in other parts of India is frightening. It seems those ideological groups who believe in the male masculinity are winning. I only hope this benevolent illusion survives for a very long time to come!

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 2.5: Capitalism Is Fundamentally Flawed

Entrepreneurship is claimed to be the most important positive ramification of Capitalism. Well, business entrepreneurship is indeed a very important ramification of Capitalism, but entrepreneurship is not just about business entrepreneurship; in fact, Capitalism subdues the other forms of entrepreneurship for the benefit of business entrepreneurship. Moreover, entrepreneurship is a painful and risky calling, and not everybody is interested in taking it up; furthermore, the growth of big business entrepreneurship increases the entry cost for new entrants; so, eventually, the majority end up working for the big business entrepreneurs or, should we say, are forced to work for the big business entrepreneurs, for either they have no other option or they get frustrated taking huge risks for small benefits. Creativity takes a backseat, and “work for money” becomes the most important consideration for employment — no behemoth can offer creative fulfillment, Google or Facebook; the most they can offer is the satisfaction of basic needs like the security needs. Ironically, the most important promise of Capitalism is what is reneged the most under Capitalism.

However, the misery doesn't end here. The satisfaction of basic needs, even in developed countries like the USA and the UK, is guaranteed only to a few. The markets become the reference point for all social and professional engagements and are superficially projected as the perfect models for engagements, but, in fact, they can never be perfect for the people never make ideal rational choices, whether individually or in groups; so there is always a cause for imperfection. Rather the escalation of commitment to the market based economy produces cronyism in search of rationalism within a closed group, which leads to elitism protected to the hilt through biased governance — something which is happening in India right now. The natural ramification is the exploitation of the poor under the promise of satisfaction of their most basic physiological need of hunger, which they could have anyways satisfied in any damn system.

Eventually, the solace is searched in the form of numbers like growth (GDP), employment, etc, which the majority doesn't understand, nor does it make any sense even otherwise. Activity is a physiological need and employment is just a means; a body will always find ways to stay active in order to survive; rather, in the tertiary sector, the body tends to become inactive in desk jobs, which accompanied by stress makes life miserable. The truth is that, under Capitalism, the humans are considered no more important than the resources like capital and land, and “unemployment” is considered as a source of economic inefficiency,

which may or may not be the case: An artist, if given the guarantee of satisfaction of his basic needs, can do wonders to the society, which contribution doesn't get accounted for in a capitalist system unless he churns millions in five-star concerts or produces filthy item numbers for the Bollywood. Growth is the most misunderstood number. There can just be no growth without distribution, and it is never the other way round. The man, through the exploitation of natural resources, has created material benefits for itself, more often than not, at the cost of destruction of natural resources, which cost never gets accounted for; the US has been at the forefront of this exploitation. This exploitation leads to accumulation of both short-term and long-term capital in multifarious forms (including food, durables, housing, technology, etc), a part of which is consumed and the other is applied further to make more capital and so on and so forth. The real growth as far as the individuals are concerned comes from the re-distribution of capital, which, if left alone to the markets, is reflected in the Dollar/Rupee rates, that is the earnings (disposable incomes) of the individuals. Ironically, over the history of Capitalism, the capital has flown from the poor countries to the already rich countries — the Colonization was the one most important medium of such a flow, and, now, it seems, the US has found an even better medium through Globalization. And that's the truth of Capitalism: It allows the producers to supply as much as they can and, under imperfect competition (which is the only truth), at whatever prices they wish and forces the consumers to purchase from the producers; and that's because it assumes that the only way an economy can be efficient is by being on its Production Possibility Frontier (PPF).

Even if we were to argue that the exploitation of resources is the real reason for universal growth, then also it is debatable whether the growth, as it takes place in the capitalist systems, does any good to the people, and, if yes, at what cost! Is there a better way to achieve the same, or a slightly lesser, growth with far greater satisfaction? The man is served the most if they are left free and independent to pursue their callings in the way found most suitable by them and at the place found most suitable by them, and this can happen only if there is equality of opportunity. Capitalism can never guarantee equality: It feigns to award merit, which *per se* is perfectly in alignment with the equality of opportunity, but, in fact, it awards obsequiousness of the powerful, and this obsequiousness becomes the only opening for opportunities. The free access to natural resources like the land, rivers, minerals, the flora and the fauna becomes subject to the "law of the land", which, in a capitalist economy, favors the large-

scale commercial exploitation by big entrepreneurs; and a price tag is, thus, put up on all resources. The day air becomes a prized commodity, humanity will cease to exist, and that day also seems not too far.

I am surprised how Capitalism is thriving in so many countries; this only shows the stupidity of men, which Einstein recognized rightly in his quote: “Two things are infinite, the universe and human stupidity, and I am not yet completely sure about the universe.”

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Chapter 2.6: Scope for the Left in India: Indo-Anarchism

(As written when Mamata Banerjee formed the government in WB)

The debacle of the Left in WB is politically very significant. The victory of Mamta Banerjee is reinforcement of the fact that voting in India is irrelevant as far as rational decision-making is concerned. This makes me partially believe in the allegations of Mamta Banerjee that the elections in the past were rigged in WB because I don't see any reason for the newer generation of WB to be having lesser wisdom than the older generation. I think the older generation didn't have a choice. Mamta Banerjee doesn't boast of the intellectual superiority of the Left, and some of the intellectual faces of the TMC don't match up anywhere to the Leftist intellectuals, but the intellectuals can't win elections; for winning elections, we need mass leaders; Buddhadeb Bhattacharjee has failed badly against Mamta Banerjee. According to me, the main reason for the Left debacle in WB is their lack of inherent ability to adjust to the new India. If they were to change their ideology, they would no more be the Marxist, and their current ideology can't make them win elections in India now. So, they are now over in electoral politics unless they become complete scoundrels by aligning fully and completely with the Right.

Rather, I have come to believe that no party having Leftist inclinations can survive electoral politics in India now. However, I do believe a new form of Anarchism, which would also be a Leftist ideology, will become extremely relevant in the coming times in India. Let's call it Indo-Anarchism. Unlike the traditional Anarchism, the Indo-Anarchism ought to be pacifist of the style of Gandhi; but, to survive it ought to be devoid of Gandhi. Females seem to be the natural contenders for the portfolios, if any. The political involvement ought to be restricted to resistance and opposition. However, it won't be unusual if there is maintained a reserve force of healthy males and females, who would be used against the State and the State supported forces contextually just out of extreme necessity without any ideology. Any conflict ought to be resolved and planned within the realm of accepted institutions of law not because of respect but out of fear for them. Call it new guerrilla warfare if you would, but, to so remain, it ought to be restrained and infrequent, else it will lose its surprise element.

But, the question: what is the responsibility of such an ideology! Responsibility of such an ideology lies in the exposure of corruption of the ruling elite but not necessarily in its correction. However, if it fails to expose, it has no identity. Of

course, the aim ought to be to move towards no concentration of power in the State but without any game plan to do the same. Thus, there can not be any scope for the growth of any popular leaders under this ideology. Rather, the real achievers/leaders of this ideology would be those who would choose the life of comparative materialistic austerity as a rational choice for achieving self-actualization with minimal satisfaction of basic needs but with lots of **freedom including privacy**. (I think Maslow was wrong: self-actualization needs can be satisfied even with the bare minimum satisfaction of basic needs; the most important pre-condition is freedom). And, the efforts would be directed towards making all people achieve such a status, which would give appropriate power to an individual governed by the imagination, creativity, intelligence and integrity of his mind and mental processes. When such a status is achieved by all, there would obviously be anarchy! **Disclosure: I am not an Anarchist.**

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 2.7: Politics of Violence

The politics of violence was the easiest in the times of the kings and the feudal lords. The politics of violence is very easy to understand: Whoever has more power than others can and does use his resources illegally and/or immorally to frighten the logical side of the weak. The violence, therefore, need not necessarily be physical. It can take any form which can have the effect of frightening the logical side of a person and thereby restricting his logical thinking ability. Though I have strong reservations to the Domestic Violence Act of India, but I do admit that the definition of violence is best enumerated in the DV Act. The violence, as defined in the DV Act, includes physical abuse, sexual abuse, verbal abuse, economic abuse and emotional abuse.



The best example of physical abuse can be found in the picture (source: <http://www.tehelka.com/beat-a-man-to-death-then-jump-on-him-thats-what-these-cops-did-in-bihar/>) on the left; of sexual abuse in Thailand, where a whole class has been made sex workers; of verbal abuse in the Indian sub-continent, where the classiest of abuses are flowered on weak people, esp. women, at the first available opportunity, and now the Indian movies are institutionalizing it; of economic abuse in the acts of the corporates/businessmen, who enslave people for peanuts; and of emotional abuse in the life of Stephen Hawking, who was not even allowed the uninterrupted company of a nurse. Of all the above, the last category of abuse, i.e. emotional abuse, is the worst because it attacks the mind directly and is the most difficult to counter-attack — I am in awe of Stephen Hawking, who has not let his logical thinking get deterred in spite of all the emotional abuses.

There is no doubt in my mind that the only answer to a violent attack is a violent counter-attack. Some people may have very strong inherent resistance to violence, so they may not counter-attack, but, if given an opportunity, the most

would attack in some form or the other.

Of all the abuses, the easiest abuse is the physical abuse, both for the strong and the weak. Rather it is the only escape available to the weak. That's why I say that the politics of violence at the times of the kings and the feudal lords was the easiest. The kings and the feudal lords just had to do as much physical abuse as necessary to rule, and the weak could out-power by doing a little more.

However, with the advent of Democracy, things have changed. The law has become important. Physical abuse, more often than not, has to be in line with the law as wished by the law makers and as enforced by the law enforcers, and, when it is not, the repercussions are exemplary. The sexual abuse against a woman often gets intermingled with physical abuse, and it would not be wrong to say that sexual abuse against women is equal to physical abuse against men. The violent counter-attack against the two forms of abuses in the form of self-defense is well-recognized under law; however, the other forms of violence have, more or less, gone unnoticed. The law, in no country of the world, has reached a stage where it can take care of all kinds of violence. Rather some of the most developed states like the USA and Canada perpetrate economic and emotional abuses. The USA is notorious of suppressing the second generation human rights and is actively involved in abusing the third generation human rights (*via* global warming) of the third world countries.

However, the biggest threat to the rights of people at large is the invasion of their privacy. No form of violence, whether be it physical abuse, sexual abuse, verbal abuse, economic abuse or emotional abuse, can be perpetrated without infringing the privacy of a person; however, economic abuse and emotional abuse must have the long-term institutionalized invasion of privacy, and these two forms of violence fall completely outside the purview of law in practice. Thus, the best way of ruling today is by infringing the privacy of the people at large. The powerhouse of the world; i.e., the forces, the corporate, the politicians, etc; are presently busy laying out the infrastructure for institutionalized invasion of privacy. The most developed country in this sphere is, undoubtedly, the UK. The large-scale invasion of privacy leaves no option for the weak but to enslave themselves voluntarily with the powerful; and the majority, thus, end up adopting the ways and manners of the politicians; and a well set hierarchy of ruling elite is, thus, formed, in which no one is happy.

I really don't know what stage is better: the stage we have reached today or the stage that existed at the times of the kings and the feudal lords. Though I am not

sure, but I think the opportunities for violent counter-attacks by the weak are far lesser now. At least, I, in spite of being a lawyer, have not been able to find the opportunities for violent counter-attacks in this age of complete invasion of privacy.

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 2.8: Lokpal

I think lokpal is a political personality and is a part of the institution of people's representatives. In India, the politicians namely the MPs, the MLAs, the councilors, *the panchayat* members, etc, are people's representatives. The judges are not people's representatives, nor are the bureaucrats, and nor are the forces. An ombudsman is also undoubtedly a people's representative looking after the grievance of people against their government; the grievance necessarily includes corruption complaints and extends to complaints against human rights violation in general. Thus, he can obviously not be selected and appointed by the government. He should ideally be elected with the right to recall, though may not be by the people directly, but through contextually relevant sections of society. Yes, it may not be universal adult franchise; rather, if a lokpal is to be appointed for grievances with respect to senior school education, the senior school students instead of their parents may have a say in the election of the Lokpal.

So, now since a lokpal has to be a people's representative, he can well be a super power but only contextually; for example the Lokpal looking after the senior school education may not only be able to receive and inquire into the complaints against the incompetent teachers but may also be able to pass orders recommending dismissal of the teachers and/or to commit them to prosecution and/or to impose fine, but, then, he can't receive complaints against the bureaucrats working in the secretariat; for that would be required another/other lokpal/s having the requisite qualifications. Of course, a lokpal has to come from the civil society and can't be a politician. "Separation of Power", "Independence of Judiciary", etc, will not be disturbed if lokpal is not considered part of the Executive or the Judiciary or the Legislature but a forth pillar — well the media will become the fifth pillar. The relevant constitutional changes are, of course, necessary.

The historical Anna Hazaare movement (historical because it's the best example of the masses' stupidity) suffered from the following fundamental problems:

1. Under the "Jan Lokpal Bill", the selection and appointment of a lokpal was by the politicians and the government. Instead of the referendum, they should have thought of elections for the different categories of lokpals by the concerned stakeholders with the right to recall and could have also laid down the pre-qualifications for the candidates and could have also defined the electorate. Then, they could have made him a super power as they did in the "Jan Lokpal

Bill.”

2. There was no procedural clarity, and the focus was too much on legal knowledge. They should have detailed out government functions at various levels in various organizations and institutions and then provided for the offices of lokpals for various functions in various organizations and institutions, etc. Instead of drafting the bill, factor analysis, a statistical concept, should have been used and a research paper/concept should have been produced delineating the offices in the order of priority, wherein the Lokpals need to be appointed. Thereafter, in the first stage, the Lokpals could have been elected by the concerned stakeholders for the most important offices.

3. Most importantly, an ombudsman is just not a check on corruption: he is a trustee of people against the high-handedness of the government and its functionaries (including the private persons like the corporations); and, I think, the violation of the human rights is the biggest grievance that the people have against the government and its functionaries (without prejudice to the observation of the Supreme Court that corruption is the biggest violator of human rights).

So, lokpal is indeed a very important political entity but distinct from the politicians; rather arising from the strong felt need of the people to fill the vacuum left by the fake trustees of the people, i.e. the politicians, and from the need to fill the vacuum left by the failure of the constitutional norm of “Separation of Power” to instill trust in the people — I don’t mind calling lokpal by some other sexy name.

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 3: Philosophy | Relationships

Chapter 3.1: Happily Unmarried

Mr. AB, a modern guy, meets Miss XY, a modern girl, and “falls in love”. Miss Y also “falls in love”. Miss Y wants to marry and have kids. Mr. B doesn’t want to marry but doesn’t want to lose Miss Y either. Mr. B and Miss Y talk it out.

Miss Y: We have been seeing each other for long now. I am fine with marriage if you propose.

Mr. B: OK, but if I propose and we get married, what do you want to be called after marriage? Mrs. XB or Ms. XY?

Miss Y: Ms. XY of course. I am an independent woman!

Mr. B: Do you wanna have a kid from the marriage?

Miss Y: Of course yes.

Mr. B: What would you like her to be called? Miss UB or Miss UY?

Miss Y: Miss UY!

Mr. B: But, there is a problem. As per Indian law, she can’t be called Miss UY; she has to necessarily be called Miss UB.

Miss Y: Hmmm...So, fine call her Miss UB then.

Mr. B: But, then that’s paradoxical! You, being an independent woman, should be equally concerned about your kid’s identity. How can you so easily forgo your claim on her identity?

Miss Y: WTF! I think you were better an MCP!

Mr. B: Do I change my name? I mean do I become Mr. AY?

Miss Y: Have you gone nuts! Has that ever happened before?!!

Mr. B: Then you change your name!

Miss Y: No way!

Mr. B: I have an idea. Let’s not get married and have a kid, and then you can name her Miss UY.

Miss Y. OK. Fine, let’s do it.

Mr. B and Miss Y lived happily unmarried ever after.

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 3.2: True Love

According to the Webster dictionary, “to like” means “to have a kindly feeling for”, and “to love” means “to like deeply”. This is one of the simplest ways to define love, and a feeling so omnipresent doesn’t need any more complications either. Its genesis lies in the most inherent human instinct to socialize and help each other. Love is the binding agent for the existence of mankind. All of us understand love naturally, but still we fail to find love. Why? Are we faulting somewhere? Are we misunderstanding love?

To complicate is human, therefore, we have complicated even love. We have given it different names and forms. We have even started calling it a relationship, i.e. “love-relationship”. And when we started calling it a relationship, we even restricted it. Love outside the relationship would be termed perfidious, forgetting all the time it is unnatural not to love. So, obviously no relationship can bind love, and there can be no positive relationship without love. The biggest culprit is thoughtless linking of love with sex. No doubt, the two complement each other, and sex is one of the best mediums to practice love, but they are definitely not the same. Love is so omnipresent that any consensual sexual activity will essentially be involving love (to whatever degree), but the reverse is not always true. The sexual activity should be certainly restricted in certain circumstances; for example, incest should be restricted; but that doesn’t, in any way, mean that the love can or should be restricted. Thus “love-relationship”, I talked about earlier, has the same fault: it tries restricting love to one relationship only, which is just not possible. Restriction of sexual activity to the “love-relationship” is a subject of debate and personal understanding, but love obviously can’t be restricted. The problem with this relationship is that when we refer to love in a “love-relationship”, we actually mean sex. Sex may need to be restricted because unrestrained sexual activity can lead to faulty understanding of degree of love in at least some of the relationships involving sex; such faulty understanding can lead to breach of trust in other relationship/s involving or not involving sex. But, to love is natural, and it can’t be restricted.

Man has unlimited sub-conscious capacity to love, else mankind wouldn’t have survived; but, at the same time, an individual has a limited conscious ability to love constrained by limited resources like time. Therefore, reciprocity of love gives way to relationships, with friendship being one of the most widespread, sustainable and simple to find. Man would obviously like to utilize his limited resources towards those who reciprocate. Lots many factors can lead to this

reciprocity. Sometimes forced factors like being-in-marriage can lead to love reciprocity; yet, at other times, natural factors like similar circumstances, mutual understanding, etc., can lead to love reciprocity. Sometimes, even good sexual activity can lead to love reciprocity. Two good looking people may even start loving each other just because they both look good; something closest to what we call “love at first sight”. Nevertheless, the main point is that so many factors individually or in combination can lead to love reciprocity. Trying to pre-empt such factors is not only stupid but also ridiculous. Such trials to pre-empt such factors can actually lead to never finding reciprocity of love; the reason is simple as, by doing so, first one restricts his/her chances to find reciprocity by his meager knowledge of such factors, and secondly he/she also restricts his/her love for others and thus the chances to find reciprocity; this gives unhappiness to both him/her and others who keep loving him/her in expectation of reciprocity. A certain attraction is definitely necessary for reciprocity, but trying to define factors responsible for attraction is futile. To a great extent, predefined relationships like marriage, “love-relationship”, etc., which demand high degree of commitment to be in the relationship, are responsible for the futile search. These relationships are so idealistic that it is seldom possible to diligently follow all the written and unwritten rules leading to pre-requirement of a high degree of commitment from each of the partners. Such a commitment is possible only if love reciprocity is enormous or, in other words, “true love” has been found. Therefore, people search for “true love” so that they can feel safe to commit to a relationship like marriage, “love-relationship”, etc. This search is futile, extremely difficult and almost impossible as the factors are unpredictable and irreproducible. This futile search for “true love” by searching factors responsible for “true love” is the biggest resistor in finding “true love”, so the best way to find “true love” is to just stop finding “true love”. “True love” is a misnomer; all love is true. As simple as that!

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 3.3: GIRLFRIEND: Moving Beyond Devi/Dasi/Devdasi

At last I know what the term **GIRLFRIEND** means. Before my version, let's see what are the various meaning attached to this term. I am not including the term boyfriend because I don't have any clue about what girls think and mean by the term boyfriend.

Many variations are found for the term girlfriend. The girlfriend generally means someone who is more than a friend (?), whom one would generally be ready to marry when the need arises, with whom one would be maintaining a regular sexual relationship, many a times one would also be living in with her.

Now, various questions arise. How a girlfriend is different from any other friend? Is it necessary to have sexual relationship with a girlfriend? Can there be more than one girlfriend? Can there be a girlfriend without any marriage commitment? And, when you are living in, how different is it from marriage?

To find answers to these questions, I need to define a friend and a girl (when looked from the perspective of a boy). Defining a friend is easy, but a girl, difficult.

Friendship, as we instinctively understand, is a relationship which is the most sustainable one because it has no formal tethers. We can walk out of friendship whenever we want, wherever we want, and for whatever reasons we want, though we seldom do it unreasonably. The most important thing in friendship is the existing trust; the trust which has been checked in a variety of situations, and, depending upon the past experiences in various situations, we define the level of friendship. A best friend is the one who has withstood the test of time. Depending upon the compatibility, the individual personalities, the situations, etc., the trust may develop very fast, or it may not develop at all.

Girl, for a Boy, is, first and foremost, a person of opposite SEX, who is capable of satisfying one of his most basic needs. And, actually, that's the only true difference between a boy and a girl, which is that they are beings of opposite sexes. The rest, I think, are behavioral differences. Given that, women have been looked upon as objects of deriving sexual satisfaction by men: the prostitution is the most prominent manifestation and the marriage is a subtler variant. Since men have been dominant, the two roles of women are weaker roles as compared to the more dominant societal roles of men. I am not saying here that these are the only roles of women in the society, but these, along with that of a mother, are

the prominent ones (i.e., *Devi*, the mother; *Dasi*, the wife and *Devdasi*, the prostitute). Out of these, the role of a prostitute has inherent defects and need to disappear. And, with great responsibility, I say that the role of a girlfriend can fill this vacuum. The process has already started in the West, and therefore, it seems, that, over there, only “losers” go to a prostitute.

So, let me now define what a girlfriend is by answering the questions posed above.

How a girlfriend is different from any other friend?

A girlfriend is different from any other friend because of the use of the word “girl” and the sexual connotations attached to it. First and foremost, she is a friend; whom one may want to call a friend depends upon an individual’s definition of a friend and is personal. Secondly, she is the girl who satisfies a particular role. Pretty often, we have one or two girlfriends but many more friends who are girls, but not girlfriends. The most reasonable explanation for this could be the non-consideration of the other girls as such friends who are available for satisfying such needs for whatever reasons, or it could be one’s own non-availability to such girls for satisfaction of such needs for whatever reasons. Whether combination of two roles of a girl and a friend in a single person creates a new role is difficult to define and understand. The answers can be derived from the role of a wife. But, then, I am not married, so I don’t have answers, though I can see that any new role, which may arise in a marriage, would only be because of living and sharing together. Last but not the least; a girlfriend is different from a regular sexual partner who is not a friend. For example, one may visit the same prostitute regularly but fails to establish the bond which is required in a friendship, so such a relationship with a prostitute can’t be called that of a girlfriend

Is it necessary to have a sexual relationship with a girlfriend?

Yes, it is, and the answer follows from above. Also, when we talk of gay relationships between men, we use the term boyfriend. That should provide some answers.

Can there be more than one girlfriend?

Yes and no, and the answer depends upon a person’s sexual preferences. Certainly, there can be two or more friends who are girls. Given that, if a person can manage more than one sexual relationship and the partners are also fine with it, then why not? But, the riders are first it is not healthy, and secondly it can lead to distrust and betrayal in any of the other relationships because sexual

intercourse can lead to false development of trust at the cost of trust in other relationships.

Can there be a girlfriend without any marriage commitment?

Yes and only yes: the very identity of a girlfriend is through non-association with marriage. If one has to necessarily marry a girlfriend, the term fiancée should suffice. However, if a girlfriend becomes a very good friend, satisfies the other requirements of a marriage, and, most importantly, is ready to get married, she is definitely the most suitable person to migrate into the role of a wife as and when the need arises. Moreover, the term girlfriend comes without the weaker role connotations of a *Dasi* attached to that of a wife.

And, when you are living in, how different is it from marriage?

I think living-in is the most confused relationship. The only benefit it offers over marriage is that one can enjoy the ultimate sharing experience without any tethers. But, then it offers many disadvantages too, the most important amongst which is that it doesn't provide proper nurturing ground for the children. A girlfriend, in this kind of a relationship, takes up almost all the roles of a wife, and, practically speaking, it is as difficult to leave this relationship as it is to leave marriage. I fail to understand what could be the benefit of live-in over marriage. I think the widespread use of this relationship in the West is more because of their inability to understand marriage and/or paranoia towards the State and the law and/or a generally irresponsible attitude.

So, the recognition of the role of a woman as a girlfriend is a movement beyond *Devi Dasi* and *Devdasi*. I wish I were also able to define the term BOYFRIEND from the perspective of a girl.

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 3.4: Marriage

This one word “marriage” has baffled me a lot. It has taken me a decade in transitioning from an ardent follower of the institution to a rebel. Rather, when I first “fell in love” at the age of ten, I couldn’t think of anything else but marriage. Any other thought, including physical intimacy, was a sacrilege. Thanks goodness ninety other boys had also fallen in love with the same girl, so I was saved from child “marriage” — btw, child “marriage” is a perfectly valid “marriage” in India. Then, I seriously fell in love with a girl, but again it was in adolescence. When other guys of my age were thinking of girls in 36-24-36, I was thinking of her in a bridal dress. Then, somebody told me she was not a virgin (a prerequisite of a marriage-worthy girl at that time), and I lost my love, thankfully “marriage” too. Then, I was third time lucky because this time I was saved of “marriage” even after proposing (not for “marriage”, but for love). This time I found an apparently mature girl, who knew these proposals should not be made at the tender age of twenty. Nevertheless, I think, she thought it was a “marriage” proposal though I know for a fact it was not because, by that time, I had started rebelling.

Now the golden question: Is “marriage” a necessity, or is it just an option?

Well, I think, it is nothing more than an option. “Marriage” is a concept which is generally understood as an institution for providing legitimacy to sexual intercourse and the children born thereof, with an externality of providing maintenance to the wife.

The modern view of “marriage” has also recognized the benefits of association. However, they have made a big error while doing so.

The modern view, which is influenced by universal values like liberty, equality, justice, individualism, etc, has made a conceptual mistake. The idea of affinity for the benefits of association, which should naturally reflect the above mentioned values, can’t be tethered into the formal boulder of an institution called “marriage”. Each has to find his or her own affinities within or without “marriage”, irrespective of sexual intercourse. It may be true that sexual intimacy leads to better affinity, but it is definitely not necessary; else there would never be any affinity between siblings. Thus, the modern view of “marriage” is faulty, and it is just an exercise into compromising new understanding with old notions without being a rebel.

The traditional views like provision of legitimacy to children, legitimacy to sexual intercourse, and maintenance of women are anti-modern and anti-

humanistic.

A thought of providing legitimacy to children is abhorrent. Even if certain kind of sexual intercourse has to be considered anti-social and undesirable, its repercussion shouldn't fall on the child produced out of the act. A child of a prostitute is no different from the child of an institution called "marriage". No child can be condemned as a "bastard" just because his/her parentage is not recognized by those authorities which are themselves so rotten as to identify and differentiate between children on the question of legitimacy. Providing legitimacy to sexual intercourse through "marriage" is a confused outcome of the misunderstood notion of sex. Sex, very much like violence, has been considered as an object of negative fulfillment by religion and society, and, probably, there is also some truth in it, but it's not validated; and it is definitely not sacrosanct enough to curb the natural instinct of gaining carnal pleasure. Men and women are naturally complementary to each other and, among other things, achieve the much necessary carnal pleasure in the most natural way. Rather, in all probability, it's extremely important to fulfill the so very natural desire. The youth no more thinks of sex as a bad notion and is not ready for societal approvals in the form of marriage for enjoying the so very natural joy. Therefore, the role of marriage to provide legitimacy to sexual intercourse is almost irrelevant in the present times. However, should one indulge in sex outside "marriage" after getting married, is still a contentious issue. I think, ideally, one shouldn't, especially if there is a strong affinity between the partners and such a trust exist. However, if the partners are in agreement on this issue and/or affinity doesn't exist, sex outside "marriage" is not really bad. After all one has to understand that sex *per se* is not bad: it is good or bad only contextually. However, this issue requires deliberation especially because the sex can very well hasten the process of affinity, and a good sex outside "marriage" may thus lead to complications and breach of trust on other issues leading to an eventual breakdown of "marriage" and, more importantly, the affinity.

The maintenance of wife through "marriage" is against the idea of equality and is the cause for weakness of the woman against the man. The idea is probably practical on taking a micro view, but it is highly unjustifiable on taking a macro view. The provision of alimony, for which women fight arduously in courts, is actually an extension of male chauvinism, very much like chivalry is. Thus, this idea of providing maintenance to a legally married wife, which law also protects, is definitely not in the overall interest of women.

However, there is another relevant issue related to "marriage"; that is, the issue

of providing care and protection, not just maintenance, to children. It is definitely an extremely important issue, and here is where I fail to rebel against the institution. A combination of mother and father, supported by elders & benefited by the association of relatives and friends in a society, is, I think, the best nurturing ground for a child. Single mothers and single fathers can equally well take care of their children, but then it has to be based on some empirical study and its finding. I am not sure whether such a study is important and even necessary. The bounder imposed by “marriage” on the family to take care of the children is extremely relevant — and it should be the most important criterion in deciding divorce cases. If not “marriage”, the bearing of children might require some other bounder, which can be imposed by law too. Such bounder should necessarily check that bearing of child is not brought about against the accepted principles of childcare. Existence of conditions similar to “marriage” (“live-in” relationship) or the proof of extra-care may qualify. Once such a bounder is put in place, then whether to enjoy the feeling of fatherhood/motherhood is through “marriage” or without “marriage” is just an option. Even without the bounder, it is still an option: after all, law can’t really command the actions of individuals; it can only direct through appropriate means.

Thus, “marriage” is very much an option, not a necessity, closely linked to the individual needs of bearing children. An option with put & call, i.e. to give and ask for divorce, till the time the birth of a child becomes a positive certainty, and a strict liability thereafter till the time the children/child gain/s majority.

(Do have a look at my other book [Annapurna Circuit Trek: Fairy Tale of Love with Nature](#))

Chapter 3.5: Relationship Agreement

Since I believe marriage is just an option, I know of other options as well, and one of them is bonafide friendship. I have designed a model “Relationship Agreement” for the benefit of those who enter into such relationships. The model “Relationship Agreement” is attached below. The agreement may not be usable outside India in its present form, but, with modifications, it can be used anywhere. However, in India or abroad, please use this model “Relationship Agreement” at your own risk.

Relationship Agreement

This relationship agreement is executed at _____, on this _____ day of _____, 200_, by and between:

1) Mr./Ms. _____

R/o _____

(Hereinafter called the first party)

AND

2) Mr./Ms. _____

R/o _____

(Hereinafter called “the second party”)

Whereas, “the first party and the second party” hereinafter, in this agreement, shall be called “the parties” and “the first party or the second party” hereinafter, in this agreement, shall be called “either party”.

Whereas, both the parties are in need of friendship and have approached each other for friendship.

Whereas, both the parties have made true declarations about their marital status to each other, and, if the first party or/and the second party is/are married, the such married party/parties (to this agreement) has/have well informed his or/and her respective spouse/spouses about the terms and conditions of this agreement and has/have obtained free prior consent from his or/and her respective spouse/spouses before entering into this agreement.

Whereas, both the parties have made declarations about their marital status, eligibility to contract, age, sex, health, etc, to each other under oath, and the same is attached to this agreement.

Whereas, both the parties are legally competent to contract, and have agreed to the friendship of each other, and have well-intently without any force, pressure or/and undue influence, and in a sound state of mind, after very well

understanding the terms and conditions of this agreement (after the terms and conditions have been read out to them in the language they understand), entered into this legally enforceable relationship agreement (relationship contract) with the following terms and conditions:

1. That this agreement (contract) is made for a relationship in the nature of friendship, which is not “in the nature of marriage”, and is without any promise, expressed or implied, of any long-term commitment like marriage, live-in relationship, long-term love commitment, and like; and this agreement is not a contract for marriage.

2. That the period of relationship shall be for _____ days starting from _____ to _____.

3. That the relationship shall be without any commitment of trust by the parties towards each other, and the relationship shall not be in the nature of fiduciary relationship.

4. That either party may visit and/or stay at each other’s residential and/or other premises with the consent of the party (to the agreement) in possession of the residential and/or other premises, but such visits and stays shall not create any right to residence and/or occupation over each other’s residential and/or other premises.

5. That the parties may enter into sexual activities, including sexual intercourse, with each other, without any consideration other than mutual benefit, joy and satisfaction; the presumption about free consent of the parties for entering into sexual activities with each other, during the relationship period, is made on signing of this agreement by the parties; such sexual activities and other activities between the parties may not be construed by anybody cognizant of signing of this agreement by the parties as prostitution or rape or any other sexual offence (as defined in chapter XVI of the Indian Penal Code) or any offence relating to marriage (as defined in chapter XX of the Indian Penal Code) or any offence against the modesty of woman (as defined in Section 354 and 509 of the Indian Penal Code) or an act of domestic violence (as defined in Protection of Women from Domestic Violence Act, 2005).

6. That any party or parties filing complaint under Section 375, Section 354 or Section 509 of the Indian Penal Code or for any sexual offence under chapter XVI of the Indian Penal Code or for any offence relating to marriage (as defined in chapter XX of the Indian Penal Code) or for any offence against the modesty of woman (as defined in Section 354 and 509 of the Indian Penal Code) or for an

offence of domestic violence (as defined in Protection of Women from Domestic Violence Act, 2005) against either party may face prosecution under Section 211 of the Indian Penal Code for making “false charge of offence made with intent to injure”.

7. That the parties have made declarations under oath, and the same are attached to this agreement; the declaration/s if found false may attract prosecution under Section 199 of the Indian Penal Code against the party who made the false declaration.

8. That the parties shall take adequate precautions and protections before entering into any sexual activity with each other during the agreement period; however, if any pregnancy happens because of the sexual activity between the parties during the agreement period, the party (to the agreement) becoming pregnant (because of the sexual activity during the agreement period) shall have all the right over and responsibility towards the embryo/embryos, foetus/foetusus during the pregnancy and towards the child/children after the birth (if it happens); the party (to the agreement) becoming pregnant (because of the sexual activity during the agreement period) shall inform the other party (to the agreement) about the fact of her having become pregnant at the earliest within all reasonable means; the party (to the agreement) becoming pregnant (because of the sexual activity during the agreement period) is, by law, not entitled to any maintenance (for herself) from or right to marriage with or right to use the name (for herself and for the child/children) of or right to association with the other party (to the agreement) or for any other such thing (in kind or in money).

9. That if either party contracts any venereal disease as a result of the sexual activity with each other during the agreement period, with or without the negligence and/or fault of either party, the party (to the agreement) so affected by venereal disease shall have sole responsibility towards self and others for the direct and indirect consequences of such venereal disease.

10. That this agreement may be terminated by either party before the agreement period without assigning any reason giving ____ hrs written notice to the other party (to the agreement).

In witness whereof, both the parties have put their hands and seals on this relationship agreement on the date first above written in presence of the following witness.

Witness no. 1

First Party

Witness no. 2

Second Party

Declaration by the First Party

I, Mr./Ms. _____ r/o _____
do hereby solemnly affirm and state as under:

- 1) That I am an/a unmarried/married male/female of ____yrs ____ months of age as on _____.
- 2) That I am legally competent to contract as per Section 11 of Indian Contract Act, 1872.
- 3) That I am not suffering from any venereal disease and am not HIV infected and am in good general state of health.
- 4) That I have well informed and educated my husband / wife / father / mother / guardian / well-wisher (Mr./Ms. _____) / nobody about the contents , including terms and conditions, of the above relationship agreement and have obtained his/her/nobody's free consent to me for signing the above relationship agreement.

Place:

Date: Signature

Consent of the Husband / Wife / Father / Mother / Guardian/ Well-Wisher of the First Party

I, Mr./Ms. _____ R/o _____ am
_____ of Mr./Ms. _____ and, in that
capacity, have very well read and/or understood the contents, including terms
and conditions, of the above relationship agreement. I have no objection and
give my free consent to Mr./Ms. _____ for signing the
above relationship agreement.

Place:

Date: Signature

Note: Declaration by the Second Party is the same format as that in the case of the first party, and the consent of the Husband / Wife / Father / Mother / Guardian/ Well-Wisher of the Second Party is also ditto the same format as that in the case of the first party.

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